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DDI-1852-7

3 AUG 1971

MEMORANDUM FOR: Acting Chief, Executive Staff, O/DDI

SUBJECT : Comments on Proposed Legislation to
Establish a "Commission on Information
Protection and the National Security"

REFERENCE : OLC 71-0700, Hebert/Arends Bill to
Establish a Commission on Information
Protection and the National Security--
H.F. 9853 (DDI-1788-7)

1. Recent events involving classified intelligence information understandably raise concern about the adequacy of present laws, regulations, and procedures governing the protection of such information. The prospect of a Commission and Staff composed of members outside the intelligence community, issuing subpoenas, taking testimony, and ordering the presentation of documents and other evidence also raises concern. The possibility of such a group overreacting to the problem, drawing unnecessary and counterproductive publicity, or transgressing into substance despite its charter could negate any advantages that might accrue from having an outside objective review.

2. If it is presumed that an outside group review is unavoidable, a case might be argued for first establishing an interagency group to make a thorough review of present procedures for controlling classified information and to formulate detailed proposals which could then be presented to and defended before an outside group such as the proposed Commission. This approach would seem to offer the dual advantage of realistic proposals from an interagency group intimately familiar with the operational problems involved in controlling classified information and reasonable exposure of the proposals to outside examination. Hopefully it would minimize the need for subpoenas and testimony.

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